

09/676, 760

ABSTRACT OF THE DISCLOSURE:

a³ A device to assist in guiding a hose onto a spool while protecting a user's hand from friction and debris or contamination carried by the hose. The device is a slotted cylinder having a through-bore and which may be installed onto the hose at any point along its length. Preferred embodiments have flared open ends and a spiral slot which may be expanded to accommodate hoses of different diameter. The device may be "cocked" with respect to the hose to provide friction and apply an axially directed force to the hose.

descriptions that the device be limited to flexible hoses or manual, handheld operations. Many modifications and variations are possible in light of the above teaching. It is intended that the scope of the invention be limited not by these detailed descriptions, but rather by the claims appended hereto.

Although the textual description of the device describes its application to flexible hoses and hose storage reels only, the inventor hereby notices that the device and/or variations of its embodiments may afford one or more of these advantages in the management of any flexible, linear, tubular, linked, braided, wound or solid connecting, retrieval or delivery means exemplified by but not to be construed to be limited to: steel cable; wire rope; electrical cable and cord; fiber optical cable; any and all types, weaves, strands and braids of natural and synthetic ropes, twines and lines; chain motor chains; chain and/or any linkage or connection device that can be defined or employed as chain; home, garden, industrial and commercially employed water hoses, and any other flexible, linear, dispensing and/or connecting and/or retrieving invention that, at the determination of a prospective user, may be more [effectively] effectively and/or efficiently managed by the employment of the preferred embodiment of the device, or any embodiment of the device, or any other device that can be determined to be a similar derivative of the above teaching.

The hose reel(s) defined and illustrated herein are hereby construed to be representative of any power source which creates tension on any of the examples named in the preceding paragraph whereby a situation is created in which the device(s) described and illustrated herein may, at the determination of the user, be advantageously employed.--;

On page 13, line 13, delete the heading "ABSTRACT OF THE DISCLOSURE:";

On page 13, delete the paragraph immediately following the heading "ABSTRACT OF THE DISCLOSURE:";

Insert the following heading and paragraph as a separate page following the claims:

--ABSTRACT OF THE DISCLOSURE:

A device to assist in guiding a hose onto a spool while protecting a user's hand from

A

The instant amendment introduces changes to the specification directed primarily to format. The last three paragraphs of the disclosure are now resubmitted in normal type. One spelling error was corrected in the second of the three replacement paragraphs. A new abstract is indicated above. The three replacement paragraphs and abstract are also submitted in clean form on separate sheets of paper attached to this response. No new matter is added by the amendment presented in this paper. The objections to the abstract and disclosure should now be withdrawn.

35 U.S.C. §112:

The rejection of claims 1-3 under 35 U.S.C. §112, second paragraph, as failing to define the invention is mooted by the cancellation of as-filed claims 1-3.

The newly submitted claims 4-13 clarify and particularly point out the invention for which patent protection is sought. Applicant submits that the new claims are constructed in accordance with 35 U.S.C. §112, second paragraph. This rejection should now be withdrawn.

35 U.S.C. §103(a):

The rejection of claims 1-3 under 35 U.S.C. §103(a) as being unpatentable over Kopp (US 3,924,661) in view of Bornhoffer (US 2,102,010) is mooted in view of the cancellation of claims 1-3. Applicant submits that newly filed claims 4-13 avoid the cited combination.

Kopp discloses a protective device 20 to prevent kinking of a hose 15 in a specific area, such as adjacent to a hose attachment (Col 2, lines 23-30, FIGS. 1 and 2). Kopp's device fits "tightly" to the hose 15 "for a substantial distance" (Col 3, lines 14-15, 38-39). Sliding the device axially along the hose requires forcing (Col 2, lines 9-13). Kopp's device is a complete cylinder, and must be installed onto a hose from a hose end.

Bornhoffer discloses a cylindrical storage container for flexible and axially collapsible hose. Certain embodiments may include an axial slit. However, Bornhoffer requires his container to provide a "frictional engagement" (Col 2, lines 35-44, 57-59, Col 3, lines 11-13, 17-23, 31-33) with a contained hose, whereby to hold the hose, or portions of the hose, securely therein.

Each of base claims 4 and 10 requires structure possessing a functionality neither disclosed nor suggested by any combination of the references. Claim 4 requires that a hose may

A

freely slide through an installed device. Claim 10 requires a low friction engagement between the internal surface of the device and the external surface of a hose.

Applicant has found no motivation, in the references themselves, to make the combination suggested in the rejection. Furthermore, changing the cited art to provide a slippery interface between the devices and the hoses would destroy the functionality of each respective cited device. In Kopp's device, a slippery interface would not maintain the device in position to prevent kinks in the hose at the desired location for such protection. A slippery interface between Bornhoffer's device and a hose would allow the hose to escape from containment therein, thereby defeating the purpose of the device.

Maintaining a rejection under section 103 would be improper.

In view of the foregoing amendments and remarks, reconsideration and the early allowance of Claims 4-13 are solicited.

Respectfully submitted,



Brian C. Trask

Registration No. 43,201

(801) 274-8851 Voice

(801) 272-1127 FAX

A